

EDWARD H. KUBO, JR. #2499  
United States Attorney  
District of Hawaii

FLORENCE T. NAKAKUNI #2286  
Chief, Narcotics Section

MARK A. INCIONG CA BAR #163443  
Assistant U.S. Attorney  
PJKK Federal Bldg.  
300 Ala Moana Boulevard  
Honolulu, Hawaii 96850  
Telephone: (808) 541-2850  
Facsimile: (808) 541-2958  
[mark.inciong@usdoj.gov](mailto:mark.inciong@usdoj.gov)

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 05-00248 JMS
	)	
Plaintiff,	)	UNITED STATES OF AMERICA'S
	)	SUPPLEMENTAL PROPOSED VOIR
vs.	)	DIRE QUESTIONS; CERTIFICATE OF
	)	SERVICE
ROBERT ALEXANDER SIGOUIN, (2)	)	
KEVIN PATRICK CASH, (3)	)	TRIAL DATE: April 25, 2006
	)	TIME: 9:00 a.m.
Defendants.	)	JUDGE: Hon. J. Michael
	)	Seabright
	)	

---

**UNITED STATES OF AMERICA'S  
PROPOSED VOIR DIRE QUESTIONS**

COMES NOW the United States of America, by and through  
Edward H. Kubo, Jr., United States Attorney, and Mark A.  
Inciong, Assistant United States Attorney, and hereby submits the  
attached Voir Dire questions in the above-captioned matter.

The United States respectfully reserves the right to request further voir dire questions.

VOIR DIRE QUESTIONS

1. This case involves the distribution of heroin. Does anyone on the panel have strong feelings about the laws of the United States relating to drugs? Does anyone believe that heroin, or any other drug, should be legalized? Would your views prevent you from being fair and impartial in this case?
2. The Court will instruct you about the law. Will you follow the law as given by the Court, even if you disagree with it?
3. Do each of you understand that conspiracy is a kind of criminal partnership and the crime of conspiracy is the agreement to do something unlawful? Do you also understand that it does not matter whether the actual crime agreed upon was committed in order to be guilty of conspiracy?
4. Do you understand that someone who willfully participates in an unlawful plan which comprises the conspiracy is as responsible for it as all other members of the conspiracy even if the person does not have full knowledge of all of the details of the conspiracy?

5. The indictment lists certain overt acts performed in furtherance of the conspiracy - do each of you understand that an overt act, by itself, does not have to be unlawful? Do you also understand the Government does is not required to prove any of the overt acts listed in the indictment?
6. Does anyone have any disagreement with the law regarding conspiracy and/or feel they would not be able to follow the conspiracy laws as instructed by the Court?
7. Has any juror or a family member or close friend ever been arrested or the subject of an investigation by law enforcement? Would that experience prevent you from being fair and impartial towards law enforcement?
8. The United States will call U.S. Customs (ICE), Drug Enforcement Administration (DEA) and Bureau of Alcohol, Tobacco and Firearms (ATF) agents as witnesses. Does anyone have any experience with, or knowledge of, these federal agencies? If so, would that prevent you from being fair and impartial?
9. Has anyone had an unpleasant or negative experience with any law enforcement personnel? Would that cause you to be biased against law enforcement or the prosecution in this case?

10. Has anyone ever had any disputes with any agency of the United States government or filed suit against any agency of the United States government? If so, please describe.
11. Has anyone had any training in the law? If so, please explain.
12. Does everyone understand that the differences between circumstantial and direct evidence and that they may be given identical weight in your deliberations? Will anyone have trouble giving circumstantial evidence the same weight as direct evidence?
13. Do you understand you cannot consider any feelings of sympathy or pity you may have for the Defendant(s) when deciding the facts of this case?
14. Have you or any relatives or close friends ever had any addiction problems with alcohol or drugs? If so, please approach the bench.
15. Is anyone here a member of an organization which advocates gun ownership and/or challenges federal gun and ammunition laws? Do any of you have any family members, or other persons with whom you have a close relationship, who is a member of an organization which advocates gun ownership and/or challenges federal gun and ammunition laws?

16. Does anyone here donate money to, or otherwise support, any organization that has as its purpose the advocacy of the right to own and possess firearms? Do any of you have any family members, or other persons with whom you have a close relationship, who donate money to, or otherwise support, any organization that has as its purpose the advocacy of the right to own and possess firearms?
17. Is there anyone here who believes that the Government should never be able to prohibit a person from owning a firearm or ammunition?
18. Has any juror, or family member or close friend of a juror, ever been accused of, arrested for, charged with or convicted of any crime other than a minor traffic ticket? Would that experience prevent you from being fair and impartial towards law enforcement?
19. Does anyone feel that due to philosophical, moral, religious or other reasons that they would have difficulty finding the Defendants guilty even if the United States had proven its case beyond a reasonable doubt?

DATED: April 11, 2006, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.  
United States Attorney

By /s/ Mark A. Inciong  
MARK A. INCIONG  
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known addresses:

Served by First Class Mail:

MARY ANN BARNARD, ESQ. April 11, 2006  
P. O. Box 235520  
Honolulu, Hawaii 96813  
Attorney for Defendant  
KEVIN PATRICK CASH

ROBERT ALEXANDER SIGOUIN April 11, 2006  
Federal Detention Center  
P. O. Box 30080  
Honolulu, HI 96820  
Defendant PRO SE

Served Electronically through CM/ECF:

GLENN D. CHOY, ESQ. April 11, 2006  
choyhawaii@hawaiiantel.net

DATED: Honolulu, Hawaii, April 11, 2006.

/s/ M. Derby-Taufa'asau